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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>  <input checked="" type="checkbox"/> Declaration Submitted with Initial Filing      OR <input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	<b>Attorney Docket Number</b>	6533/53657	
	<b>First Named Inventor</b>	Guy Riddle	
	<b>COMPLETE IF KNOWN</b>		
	<b>Application Number</b>		
	<b>Filing Date</b>	12/10/2001	
	<b>Group Art Unit</b>		
		<b>Examiner Name</b>	

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Dynamic Tunnel Probing in a Communications Network

(Title of the Invention)

the specification of which

☒ is attached hereto

OR

☐ was filed on (MM/DD/YYYY)

as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

Burden Hour Statement. This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patent, Washington, DC 20231.

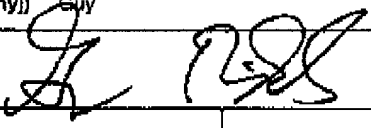
PTO/SB/01 (03-01)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION – Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/> Customer Number or Bar Code Label <div style="border: 1px solid black; padding: 2px; display: inline-block;">30505</div> OR <input type="checkbox"/> Correspondence address below			
Name Mark James Spolyar			
Address 554 Jersey Street			
City San Francisco		State CA	ZIP 94114
Country USA	Telephone 415-826-7966		Fax 415-480-1780
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such statements may jeopardize the validity of the application or any patent issued thereon.			
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any)) Guy		Family Name or Surname Riddle	
Inventor's Signature 			Date 16 December 2001
Residence: City Los Gatos	State CA	Country USA	Citizenship USA
Mailing Address 18243 Knuth Road			
City Los Gatos	State CA	ZIP 95033	Country USA
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			Date
Residence: City	State	Country	Citizenship
Mailing Address			
City	State	ZIP	Country
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

**PATENT APPLICATION**  
Attorney Docket 6533/53657

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Riddle

**Serial No.:** TBD

**Filed:** December 10, 2001

**For:** *Dynamic Tunnel Probing in a Communications Network*

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST**

Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Packeteer, Inc., a Delaware corporation, at 10495 N. De Anza Blvd., Cupertino, CA 95014, assignee of all right, title and interest to the application identified above, through its Vice President, Corp. Development, Brett Galloway, hereby appoints as its principal attorney, Mark James Spolyar, Reg. No. 42164, with full power of revocation and substitution, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected herewith.

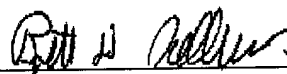
All correspondence and telephone calls relating to this application should be directed to:

**Customer Number: 30505**

Law Office of Mark J. Spolyar  
554 Jersey Street  
San Francisco, CA 94114  
415-826-7966  
415-480-1780 fax.

Respectfully submitted,  
**PACKETEER, INC.**

By:



Brett Galloway

Its:

Vice President, Corp. Development

Date: 12-10-01

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